IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELALTE SIDE

WRIT PETITION NO.1195 OF 2005

The Executive Officer, Pune Cantonment Board. ... Petitioner.

Vs.

Shri Ramesh Shamrao Pokharnikar & Ors. ...Respondents.

....

Mr. V. G. Mujumdar for the Petitioner.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 31, 2005.

P.C.:

The only point which has been urged before the Court while impugning the correctness of the judgment of the School Tribunal is that the Cantonment Board is not a local authority within the meaning of Section 2(11) of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977.

The expression “local authority” is defined by Section 2 (11) as follows :

> “(11) “Local authority” means a Zilla Parishad, a Municipal Corporation or a Municipal Council, as the case may be.”

An exhaustive definition has been provided by the Act of the

expression “local authority”. 'Local authority' is defined to mean (i) a Zilla Parishad; (ii) a Municipal Corporation; or as the case may be, (iii) a Municipal Council. In the circumstances, it is not possible to accept the submission that the Cantonment Board is a local authority for the purposes of the Act. This point is not res integra and is concluded by the judgment of a Division Bench in **Cantonment Board of Deolali vs. Usha Devidas Dongre,** 1993 Mh. L.J. 74. In that view of the matter, the jurisdictional challenge which is urged in these proceedings impugning the correctness of the judgment of the School Tribunal, has no merit. The petition is accordingly dismissed.

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